



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

September 28, 2016

Ms. Sophie James, Director of Water Quality
California Water Service Company
1720 North First Street
San Jose, CA 95112-4598

CALIFORNIA WATER SERVICE COMPANY – KERNVILLE WATER SYSTEM, WATER SYSTEM NO. 1510033, COMPLIANCE ORDER NO. 03_19_16R-005

Dear Ms. James:

Enclosed is Compliance Order No. 03_19_16R_005 that the State Water Resources Control Board (hereinafter State Board), Division of Drinking Water is issuing to California Water Service Company (Cal Water) for violating the California Safe Drinking Water Act. The Cal Water-Kernville Water System (hereinafter Water System) has been serving water to consumers that fails the primary maximum contaminant level (MCL) for haloacetic acids five (HAA5) of 0.060 milligrams-per-liter, established under the Stage 2 Disinfection byproduct Rule (ST2 DBPR). As discussed in the compliance order, the Cal Water shall develop and implement a plan to resolve the HAA5 MCL violation and ensure that water served to consumers meets all drinking water standards.

Please note that on or before October 15, 2016, Cal Water is required to submit a written response to the State Board indicating its agreement to comply with the directives of the compliance order and with the Corrective Action Plan addressed in the said compliance order. **On or before November 30, 2016, Cal Water is required to present the Corrective Action Plan required under Directive No. 5 of the compliance order, to the State Board in person at the State Board of Drinking Water's office located at 4925 Commerce Drive, Suite 120, Bakersfield, California 93309. The deadline to achieve compliance with the HAA5 MCL is December 31, 2019.** Until the State Board determines that the Water System is in compliance with the HAA5 MCL, Cal Water must continue to provide quarterly public notification for HAA5. After providing quarterly public notification, a copy of the public notice along with a completed Certification of Public Notification form (**Attachment C** of the compliance order) should be submitted to the State Board's Bakersfield office. Failure to comply with deadlines and directives specified in the compliance order will result in further enforcement action by the State Board.

If you have any questions regarding this matter, please contact me at (661) 335-7318 or Carl Carlucci, Supervising Sanitary Engineer at (559) 447-3132.

Sincerely,

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer, Tehachapi District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 | www.waterboards.ca.gov

Enclosure: Compliance Order No. 03_19_16R_005

CC: Kern County Public Health Dept., Environmental Health Services Division (w/out enclosure)
California Public Utilities Commission (via email)
Chris Whitley, Local Manager at Lake Isabella Office, Cal Water (via email)
Eric Furtado and Jon Yasin, Cal Water (via email)

JSD/ams

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2 **STATE OF CALIFORNIA**
3 **STATE WATER RESOURCES CONTROL BOARD**
4 **DIVISION OF DRINKING WATER**
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6

7
8 **TO: CALIFORNIA WATER SERVICE COMPANY-KERVILLE SYSTEM**
Water System No. 1510033

9 **ATTN:** Ms. Sophie James, Director of Water Quality
10 California Water Service Company
11 1720 North First Street
San Jose, CA 95112-4598

12 **COMPLIANCE ORDER NO. 03_19_16R_005**
13

14
15 **FOR VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555(a)(1)**

16 **AND**

17 **STAGE 2 DISINFECTION BYPRODUCT RULE**

18 **THE PRIMARY DRINKING WATER STANDARD FOR HALOACETIC ACIDS FIVE**

19 **SECTION 64533(a), TITLE 22, CALIFORNIA CODE OF REGULATIONS**
20

21 **Issued on September 28, 2016**
22

23 The State Water Resources Control Board (hereinafter "State Board"), acting by and
24 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
25 for the Division (hereinafter "Deputy Director"), hereby issues a Compliance Order
26 (hereinafter "Order"), pursuant to Section 116655 of the California Health and Safety
27

Code (hereinafter "CHSC") to California Water Service Company - Kernville Water System (hereinafter "Cal Water") for violation of CHSC Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64533(a), Maximum Contaminant Levels for Disinfection Byproducts.

APPLICABLE AUTHORITIES

CHSC, Section 116555(a)(1) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

(1) Complies with primary and secondary drinking water standards.

CHSC, Section 116655 states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the State Board.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

CCR, Title 22, Section 64533(a) (hereinafter “Section 64533(a)”), states in relevant part:

(a) Using the monitoring and calculation methods specified in sections 64534, 64534.2, 64535, and 64535.2, the primary MCLs for the disinfection byproducts shown in table 64533-A shall not be exceeded in drinking water supplied to the public.

Table 64533-A

**Maximum Contaminant Levels and Detection Limits for Purposes of Reporting
Disinfection Byproducts**

| Disinfection Byproduct | Maximum Contaminant Level (mg/L) | Detection Limit for Purposes of Reporting (mg/L) |
|-------------------------|----------------------------------|--|
| Total trihalomethanes | 0.080 | |
| Bromodichloromethane | | 0.0010 |
| Bromoform | | 0.0010 |
| Chloroform | | 0.0010 |
| Dibromochloromethane | | 0.0010 |
| Haloacetic acids (five) | 0.060 | |
| Monochloroacetic Acid | | 0.0020 |
| Dichloroacetic Acid | | 0.0010 |
| Trichloroacetic Acid | | 0.0010 |
| Monobromoacetic Acid | | 0.0010 |
| Dibromoacetic Acid | | 0.0010 |
| Bromate | 0.010 | 0.0050 |
| Chlorite | 1.0 | 0.020 |

Additional *Applicable Authorities* are located in **Attachment A**, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

The California Water Service Company - Kernville Water System (hereinafter “Water System”) is a privately owned community water system, located in Kern County that supplies water for domestic purposes to approximately 5290 individuals, as reported

1 to the State Board, through service connections to 1650 single-family dwellings, 7
2 multi-family dwellings (apartments), and 105 commercial/institutional facilities. The
3 Water System operates under Domestic Water Supply Permit No. 03-19-01P-005,
4 issued on April 10, 2002, and Domestic Water Supply Permit Amendment No. 03-19-
5 11PA-003, issued on September 28, 2011.
6

7
8 The Water System utilizes surface water obtained from the Kern River and
9 groundwater from local water supply wells. The raw surface water is treated by two
10 microfiltration treatment plants, with treatment processes that include membrane
11 microfiltration and chemical disinfection with sodium hypochlorite.
12

13
14 CCR, Title 22, Chapter 15.5 (hereinafter "Stage 2 Disinfection Byproduct Rule" or
15 "S2DBPR") adopted by California, effective June 21, 2012, requires water systems
16 serving less than 10,000 persons to monitor and report disinfection byproduct and
17 residual disinfectant levels. The S2DBPR applies to any community or nontransient
18 noncommunity water system that treats water with a chemical disinfectant in any part
19 of the treatment process or that provides water containing a chemical disinfectant.
20 CCR Section 64533(a) establishes a maximum contaminant level (hereinafter "MCL")
21 in drinking water for total trihalomethanes (hereinafter "TTHM") and haloacetic acids
22 (five) (hereinafter "HAA5") in drinking water of 0.080 mg/L and 0.060 mg/L,
23 respectively.
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CCR, Section 64534.2, establishes a routine monitoring frequency for a surface water system serving a population more than 3,300 individuals and less than 9,999 of two dual samples for TTHMs and HAA5s per quarter, as required by Table 64534.2-C. In accordance with its approved S2DBPR Monitoring Plan, the Water System has been collecting two quarterly dual samples from two sample sites: 1235 Sycamore (Primary Station Code 1510033-901) and 60 Oak Place (Primary Station Code 1510033-902). Cal Water informed the State Board that the sampling location at 60 Oak Place was not representative of the surrounding distribution system since it was located in an area with stagnant water. During the second quarter of 2016 and after consulting with the State Board, Cal Water replaced the 60 Oak Place sampling location with a new sampling location: 107 Juniper Street (Primary Station Code: 1510033-903). Cal Water started collecting DBP samples from the Juniper Street sampling site during the third quarter of 2016. Effective the third quarter of 2016, the 60 Oak Place sampling location (PS Code: 1510033-902) was inactivated.

CCR, Section 64535.2(e)(1), specifies ongoing compliance determinations for quarterly TTHM and HAA5 monitoring; specifically, compliance with the TTHM and HAA5 MCLs are based on a locational running annual average (LRAA), computed quarterly, at each approved sample site. As discussed above, the Water System collects quarterly dual samples for TTHM and HAA5 from each of the two approved S2DBPR sample sites.

A summary of the recent TTHM and HAA5 monitoring results from the inactivated sample site (60 Oak Place) is presented in the table below:

**Table 1: Stage 2 DBPR Sample Site Results
60 Oak Place (PS Code: 1510033-902)**

| Sample Quarter | TTHM (mg/L) | | HAA5 (mg/L) | |
|----------------|-------------------|-------|-------------------|---------------|
| | MCL = 0.080 | | MCL = 0.060 | |
| | Quarterly Average | LRAA | Quarterly Average | LRAA |
| 2Q 2015 | 0.053 | -- | 0.054 | -- |
| 3Q 2015 | 0.053 | -- | 0.056 | -- |
| 4Q 2015 | 0.067 | -- | 0.042 | -- |
| 1Q 2016 | 0.110 | 0.071 | 0.144 | 0.074* |
| 2Q 2016 | 0.066 | 0.074 | 0.104 | 0.087* |
| 3Q 2016** | 0.033 | 0.069 | 0.030 | 0.080* |

*** LRAA Exceeds HAA5 MCL of 0.060 mg/L**

**** 3Q 2016 sample was collected from 107 Juniper (PS Code 1510033-903) which replaced 60 Oak Place (PS Code 1510033-902).**

The Water System has no previous violations of any DBP standards.

DETERMINATIONS

Based on the above Statement of Facts, the State Board has determined that the Water System has violated the LRAA MCL for HAA5 during the first, second, and third quarters of 2016, as shown in Table 1 above.

DIRECTIVES

To ensure that the water supplied by the California Water Service Company - Kernville Water System is at all times safe, wholesome, healthful, and potable, and pursuant to the California Safe Drinking Water Act, California Water Service Company is hereby directed to take the following actions:

1. Comply with CCR, Title 22, Section 64533(a) in future monitoring periods after conducting upgrades of the treatment facility and treatment operations.
2. Provide quarterly public notification of its inability to meet the HAA5 MCL during any calendar quarter that the four-quarter locational running annual average exceeds the HAA5 MCL. Notification procedures and format are provided in **Attachment B**. An electronic version of **Attachment B** is available upon request.
3. Proof of public notification shall be provided to the State Board following each quarterly notification by the 10th day of the month following notification, using the form provided as **Attachment C**.
4. Continue to collect quarterly samples for TTHM's and HAA5's from the distribution system, in accordance with an approved DBP monitoring plan. The analytical results shall be reported to the State Board electronically, by the analyzing laboratory, no later than the 10th day following the month in which the analysis was completed.

- 1 5. Prepare a Corrective Action Plan identifying improvements to the Water System
2 designed to correct the water quality problem (violation of the HAA5 MCL) and
3 eliminate the need to deliver water to consumers that does not meet primary
4 drinking water standards. The plan shall include a time schedule for completion of
5 various phases of the project such as design, construction, and startup.
6
- 7 6. Present the Corrective Action Plan required under Directive No. 5, above, to the
8 State Board, in an office meeting, no later than **November 30, 2016**.
9
- 10 7. Timely perform the State Board approved Corrective Action Plan and each and
11 every element of said plan according to the time schedule set forth therein.
12
- 13 8. Submit quarterly progress reports to the State Board. The first quarterly progress
14 report shall describe progress made in the second quarter of 2016 and shall be
15 submitted to the State Board by **January 1, 2017**, using the form provided as
16 **Attachment D**.
17
- 18 9. Operate the existing water system to minimize formation of total trihalomethanes
19 and haloacetic acids in the distribution system.
- 20 10. Submit a written response by **October 15, 2016**, indicating its willingness to
21 comply with the directives of this Compliance Order.
22
- 23 11. By no later than **December 31, 2019**, achieve compliance with the HAA5 MCL,
24 with the completion of a project and demonstration that the locational running
25 annual average is reliably less than the MCL.
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1 12. Not later than ten (10) days following the date of compliance with the HAA5 MCL,
2 demonstrate to the State Board that the water delivered by Water System complies
3 with the HAA5 MCL, by submitting a written notification to the State Board.
4

5 13. Notify the State Board in writing no later than five (5) days prior to the deadline for
6 performance of any Directive set forth herein if Water System anticipates it will not
7 timely meet such performance deadline.
8

9
10 All submittals required by this Order shall be addressed to:

11
12 Jaswinder S. Dhaliwal, P.E.
13 Senior Sanitary Engineer, Tehachapi District
14 SOUTHERN CALIFORNIA BRANCH
15 DRINKING WATER FIELD OPERATIONS
4925 COMMERCE DRIVE, SUITE 120
BAKERSFIELD, CA 93309

16
17 The State Board reserves the right to make such modifications to this Order as it may
18 deem necessary to protect public health and safety. Such modifications may be
19 issued as amendments to this Order and shall be effective upon issuance. Nothing in
20 this Compliance Order relieves California Water Service Company of its obligation to
21 meet the requirements of the California Safe Drinking Water Act, or any regulation,
22 standard, permit or order issued thereunder.
23

24
25 If the California Water Service Company - Kernville Water System is unable to perform
26 the tasks specified in this Order for any reason, whether within or beyond its control,
27

1 and if the California Water Service Company - Kernville Water System notifies the
2 State Board in writing no less than five days in advance of the due date, the State
3 Board may extend the time for performance if the California Water Service Company -
4 Kernville Water System demonstrates that it has used its best efforts to comply with
5 the schedule and other requirements of this Order.
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9 **PARTIES BOUND**

10 This Compliance Order shall apply to and be binding upon California Water Service
11 Company, its owners, shareholders, officers, directors, agents, employees,
12 contractors, successors, and assignees.
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16 **SEVERABILITY**

17 The directives of this Compliance Order are severable, and California Water Service
18 Company shall comply with each and every provision thereof notwithstanding the
19 effectiveness of any provision.
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23 **FURTHER ENFORCEMENT ACTION**

24 The California Safe Drinking Water Act authorizes the State Board to issue citations
25 and compliance orders with assessment of administrative penalties to a public water
26 system for violation or continued violation of the requirements of the California Safe
27

Drinking Water Act or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California Safe Drinking Water Act also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the State Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this compliance order.

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the California Safe Drinking Water Act. Failure to comply with any provision of this Compliance Order may result in the State Board imposing a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

9-28-2016

Date

[Signature]

Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Certified Mail No.: 7015 1660 0000 0781 9753



Attachments:

Attachment A: Applicable Authorities
Attachment B: Public Notification Form
Attachment C: Proof of Notification Form
Attachment D: Quarterly Progress Report Form

CC: Kern County Dept. of Public Health, Env. Health Services Division
Eric Furtado, Water Quality Project Manager, Cal Water (via email)
Chris Whitley, Local Area Manager, Cal Water (via email)
California Public Utilities Commission

Applicable Authorities

Violation of Maximum Contaminant Levels of Disinfectant Byproducts

California Health and Safety Code, Section 116655, states in relevant part:

- (a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:
 - (1) Directing compliance forthwith.
 - (2) Directing compliance in accordance with a time schedule set by the department.
 - (3) Directing that appropriate preventive action be taken in the case of a threatened violation.
- (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:
 - (1) That the existing plant, works, or system be repaired, altered, or added to.
 - (2) That purification or treatment works be installed.
 - (3) That the source of the water supply be changed.
 - (4) That no additional service connection be made to the system.
 - (5) That the water supply, the plant, or the system be monitored.
 - (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

California Code of Regulations, Title 22, states in relevant part:

§64533. Maximum Contaminant Levels for Disinfection Byproducts.

- (a) Using the monitoring and calculation methods specified in sections 64534, 64534.2, 64535, and 64535.2, the primary MCLs for the disinfection byproducts shown in table 64533-A shall not be exceeded in drinking water supplied to the public.

Table 64533-A
Maximum Contaminant Levels and Detection Limits for Purposes of Reporting
Disinfection Byproducts

| Disinfection Byproduct | Maximum Contaminant Level (mg/L) | Detection Limit for Purposes of Reporting (mg/L) |
|--------------------------------|----------------------------------|--|
| Total trihalomethanes (TTHM) | 0.080 | |
| Bromodichloromethane | | 0.0010 |
| Bromoform | | 0.0010 |
| Chloroform | | 0.0010 |
| Dibromochloromethane | | 0.0010 |
| Haloacetic acids (five) (HAA5) | 0.060 | |
| Monochloroacetic Acid | | 0.0020 |
| Dichloroacetic Acid | | 0.0010 |
| Trichloroacetic Acid | | 0.0010 |
| Monobromoacetic Acid | | 0.0010 |
| Dibromoacetic Acid | | 0.0010 |
| Bromate | 0.010 | 0.0050 0.0010 ¹ |
| Chlorite | 1.0 | 0.020 |

¹ For analysis performed using EPA Method 317.0 Revision 2.0, 321.8, or 326.0

§64534. General Monitoring Requirements.

(a) Except as provided in subsection (b), analyses required pursuant to this chapter shall be performed by laboratories certified by the State Board to perform such analyses pursuant to Article 3, commencing with section 100825, of Chapter 4 of Part 1 of Division 101, Health and Safety Code. Unless otherwise directed by the State Board, analyses shall be made in accordance with U.S. EPA approved methods as prescribed in 40 Code of Federal Regulations, part 141.131 (63 Fed. Reg. 69390 (December 16, 1998), as amended at 66 Fed. Reg. 3770 (January 16, 2001), 71 Fed. Reg. 388 (January 4, 2006), 71 Fed. Reg. 37168 (June 29, 2006), and 74 Fed. Reg. 30953 (June 29, 2009)), which are incorporated by reference.

(b) Sample collection, and field tests including pH, alkalinity, and chlorine, chloramines, and chlorine dioxide residual disinfectants, shall be performed by personnel trained to perform such sample collections and/or tests by:

- (1) The State Board;
- (2) A laboratory certified pursuant to subsection (a); or
- (3) An operator, certified by the State Board pursuant to section 106875(a) or (b) of the Health and Safety Code and trained by an entity in paragraph (1) or (2) to perform such sample collections and/or tests.

(c) Systems shall take all samples during normal operating conditions, which exclude those circumstances covered under section 64533.5(b).

(d) A system may apply to the State Board for approval to consider multiple wells drawing water from a single aquifer as one treatment plant for determining the minimum number of TTHM and HAA5 samples required under section 64534.2(a). In order to qualify for this reduction in monitoring requirements a system shall demonstrate to the State Board that the

multiple wells produce water from the same aquifer. To make this demonstration, a system shall submit information to the State Board regarding the location, depth, construction, and geologic features of each well, and water quality information for each well. The State Board will use this information to determine whether the wells produce water from a single aquifer.

(e) Systems shall use only data collected under the provisions of this chapter to qualify for reduced monitoring pursuant to this article.

(f) Systems that fail to monitor shall be in violation of the monitoring requirements for the entire monitoring period that a monitoring result would be used in calculating compliance with MCLs or MRDLs, and shall notify the public pursuant to sections 64463, 64463.7, and 64465, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6.

(g) Systems that fail to monitor in accordance with the monitoring plan required by section 64534.8 shall be in violation of the monitoring requirements, and shall notify the public pursuant to sections 64463, 64463.7, and 64465, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6.

§64534.2. Disinfection Byproducts Monitoring

(a) Community and nontransient noncommunity water systems shall monitor for TTHM and HAA5 at the frequencies and locations indicated in table 64534.2-A.

Table 64534.2-A
Routine and Increased Monitoring Frequency for TTHM and HAA5

| COLUMN A <i>Type of System</i> | COLUMN B <i>Persons Served</i> | COLUMN C <i>Minimum monitoring frequency</i> | COLUMN D <i>Sample location in the distribution system & increased monitoring frequencies</i> |
|--|--|---|---|
| Systems using approved surface water | ≥10,000 | Four samples per quarter per treatment plant | At least 25 percent of all samples collected each quarter at locations representing maximum residence time. Remaining samples taken at locations representative of at least average residence time in the distribution system and representing the entire distribution system, taking into account number of persons served, different sources of water, and different treatment methods ¹ . |
| | 500 - 9,999 | One sample per quarter per treatment plant | Locations representing maximum residence time ¹ . |
| | < 500 | One sample per year per treatment plant during month of warmest | Locations representing maximum residence time ¹ . If the sample (or average of annual samples, if more than one sample is taken) exceeds MCL, system shall increase monitoring to one |

| COLUMN A <i>Type of System</i> | COLUMN B <i>Persons Served</i> | COLUMN C <i>Minimum monitoring frequency</i> | COLUMN D <i>Sample location in the distribution system & increased monitoring frequencies</i> |
|---|-----------------------------------|---|---|
| | | water temperature | sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until system meets reduced monitoring criteria in paragraph (3) of this subsection. |
| Systems using only ground water not under direct influence of surface water and using chemical disinfectant | ≥10,000 | One sample per quarter per treatment plant | Locations representing maximum residence time ¹ . |
| | <10,000 | One sample per year per treatment plant during month of warmest water temperature | Locations representing maximum residence time ¹ . If the sample (or average of annual samples, if more than one sample is taken) exceeds MCL, system shall increase monitoring to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until system meets reduced monitoring criteria in paragraph (3) of this subsection. |

¹ If a system elects to sample more frequently than the minimum required, at least 25 percent of all samples collected each quarter (including those taken in excess of the required frequency) shall be taken at locations that represent the maximum residence time of the water in the distribution system. The remaining samples shall be taken at locations representative of at least average residence time in the distribution system.

(1) Systems may apply to the State Board to monitor at a reduced frequency in accordance with table 64534.2-B. The application shall include the results of all TOC, TTHM, and HAA5 monitoring conducted in the previous 12 months and the proposed revised monitoring plan as required by section 64534.8. The State Board will evaluate data submitted with the application to determine whether or not the system is eligible for the reduced monitoring specified in table 64534.2-B;

**Table 64534.2-B
Reduced Monitoring Frequency for TTHM and HAA5**

| <i>If the system is a(n) ...</i> | <i>serving...</i> | <i>the system may reduce monitoring if it has monitored at least one year and...</i> | <i>to this level</i> |
|--|-------------------|---|--|
| Approved surface water system which has a source water TOC ¹ level, before any treatment, ≤4.0 mg/L | ≥10,000 | TTHM ¹ ≤0.040 mg/L and HAA5 ¹ ≤0.030 mg/L | One sample per treatment plant per quarter at distribution system location reflecting maximum residence time. |
| | 500-9,999 | TTHM ¹ ≤0.040 mg/L and HAA5 ¹ ≤0.030 mg/L | One sample per treatment plant per year at distribution system location reflecting maximum residence time during month of warmest water temperature. |
| System using only ground water not under direct influence of surface water and using chemical disinfectant | ≥10,000 | TTHM ¹ ≤0.040 mg/L and HAA5 ¹ ≤0.030 mg/L | One sample per treatment plant per year at distribution system location reflecting maximum residence time during month of warmest water temperature. |
| | <10,000 | TTHM ¹ ≤0.040 mg/L and HAA5 ¹ ≤0.030 mg/L for two consecutive years OR TTHM ¹ ≤0.020 mg/L and HAA5 ¹ ≤0.015 mg/L for one year | One sample per treatment plant per three-year monitoring cycle at distribution system location reflecting maximum residence time during month of warmest water temperature, with the three-year cycle beginning on January 1 following the quarter in which system qualifies for reduced monitoring. |

(2) Systems on reduced monitoring shall resume monitoring at the frequency specified in column C of table 64534.2-A in the quarter immediately following the quarter in which the system exceeds 0.060 mg/L for the TTHM annual average or 0.045 mg/L for the HAA5 annual average, or 4.0 mg/L for the source water TOC annual average. For systems using only ground water not under the direct influence of surface water and serving fewer than 10,000 persons or for systems using approved surface water and serving fewer than 500 persons, if either the TTHM annual average is >0.080 mg/L or the HAA5 annual average is >0.060 mg/L, the system shall go to increased monitoring identified in column D of table 64534.2-A in the quarter immediately following the

quarter in which the system exceeds 0.080 mg/L or 0.060 mg/L for the TTHM and HAA5 annual averages, respectively; and

(3) Systems on increased monitoring pursuant to column D of table 64534.2-A may return to routine monitoring specified in column C of table 64534.2-A if, after at least one year of monitoring, TTHM annual average is ≤ 0.060 mg/L and HAA5 annual average is ≤ 0.045 mg/L.

(b) Community and nontransient noncommunity water systems using chlorine dioxide shall conduct monitoring for chlorite as follows:

(1) Systems shall take daily samples at the entrance to the distribution system and analyze the samples the same day the samples are taken. For any daily sample that exceeds the chlorite MCL, the system shall take three additional chlorite distribution system samples the following day (in addition to the daily sample required at the entrance to the distribution system) at these locations: as close to the first customer as possible, at a location representative of average residence time, and at a location reflecting maximum residence time in the distribution system. The system shall analyze the additional samples within 48 hours of being notified pursuant to section 64537(b) of the exceedance;

(2) Systems shall take a three-sample set each month in the distribution system. The system shall take one sample at each of the following locations: as close to the first customer as possible, at a location representative of average residence time, and at a location reflecting maximum residence time in the distribution system. Any additional routine sampling shall be conducted in the same manner (as three-sample sets, at the specified locations). The system may use the results of additional monitoring conducted under paragraph (1) to meet the monitoring requirement in this paragraph;

(3) Systems may apply to the State Board to reduce monthly chlorite monitoring in the distribution system pursuant to paragraph (2) to one three-sample set per quarter after one year of monitoring during which no individual chlorite sample taken in the distribution system has exceeded the chlorite MCL and the system has not been required to conduct additional monitoring under paragraph (1). The application shall include the results of all chlorite monitoring conducted in the previous 12 months and the proposed revised monitoring plan as required by section 64534.8. The State Board will evaluate data submitted with the application and determine whether or not the system is eligible to reduce monitoring to one three-sample set per quarter. The system may remain on the reduced monitoring schedule until either any of the three individual chlorite samples taken quarterly in the distribution system under paragraph (2) exceeds the chlorite MCL or the system is required to conduct additional monitoring under paragraph (1), at which time the system shall revert to routine monitoring; and

(4) If a distribution system sample taken pursuant to paragraph (2) exceeds the chlorite MCL, the system shall take and analyze a confirmation sample within 48 hours of being notified pursuant to section 64537(c) of the exceedance. If the system fails to take a confirmation sample pursuant to this paragraph, it shall take and analyze a confirmation sample within two weeks of notification of the results of the first sample.

(c) Community and nontransient noncommunity systems using ozone shall monitor for bromate as follows:

(1) Systems shall take one sample per month for each treatment plant in the system using ozone. Samples shall be taken at the entrance to the distribution system while the ozonation system is operating under normal conditions;

(2) Systems may reduce bromate monitoring from monthly to once per quarter, if the system's running annual average bromate concentration is ≤ 0.0025 mg/L based on monthly bromate measurements under paragraph (1) for the most recent four quarters, with samples analyzed using Method 317.0 Revision 2.0, 321.8, or 326.0. The system shall notify the State Board in writing within 30 days of the change in monitoring frequency; and

(3) Systems shall resume routine bromate monitoring pursuant to paragraph (1) and notify the State Board in writing within 30 days of the change in monitoring frequency if the running annual average bromate concentration, computed quarterly, is greater than 0.0025 mg/L.

(d) By the applicable date specified in section 64530(d), and in lieu of TTHM and HAA5 monitoring in subsection (a):

(1) Community and nontransient noncommunity water systems shall monitor for TTHM and HAA5 at the frequencies and location totals indicated in table 64534.2-C and in accordance with the monitoring plan developed pursuant to section 64534.8;

Table 64534.2-C
Routine Monitoring Frequency for TTHM and HAA5

| <i>Source water type</i> | <i>Persons served</i> | <i>Number of distribution system monitoring locations</i> | <i>Monitoring period²</i> |
|--|-----------------------|---|--------------------------------------|
| Systems using approved surface water | $\geq 5,000,000$ | 20 dual sample sets | per quarter |
| | 1,000,000 – 4,999,999 | 16 dual sample sets | per quarter |
| | 250,000 – 999,999 | 12 dual sample sets | per quarter |
| | 50,000 – 249,999 | 8 dual sample sets | per quarter |
| | 10,000 – 49,999 | 4 dual sample sets | per quarter |
| | 3,301 – 9,999 | 2 dual sample sets | per quarter |
| | 500 – 3,300 | 1 TTHM and 1 HAA5 sample: one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement | per quarter |
| | <500 | 1 TTHM and 1 HAA5 sample: one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement ³ | per year |
| Systems using ground water not under direct influence of surface water | $\geq 500,000$ | 8 dual sample sets | per quarter |
| | 100,000 – 499,999 | 6 dual sample sets | per quarter |
| | 10,000 – 99,999 | 4 dual sample sets | per quarter |
| | 500 – 9,999 | 2 dual sample sets | per year |
| | <500 | 1 TTHM and 1 HAA5 sample: | per year |

| <i>Source water type</i> | <i>Persons served</i> | <i>Number of distribution system monitoring locations</i> | <i>Monitoring period²</i> |
|--------------------------|-----------------------|---|--------------------------------------|
| | | one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement ³ | |

¹ All systems shall monitor during the month of highest disinfection byproduct concentrations.

² Systems on quarterly monitoring shall take dual sample sets every 90 days at each monitoring location, except for systems using approved surface water and serving 500 – 3,300 persons.

³ Only one location with a dual sample set per monitoring period is needed if highest TTHM and HAA5 concentrations occur at the same location and month.

(2) Undisinfected systems that begin using a disinfectant other than UV light after the applicable dates in 40 Code of Federal Regulations, part 141.600 (71 Fed. Reg. 388 January 4, 2006), which is incorporated by reference, shall consult with the State Board to identify compliance monitoring locations for this subsection. Systems shall then develop a monitoring plan in accordance with section 64534.8 that includes those monitoring locations;

(3) Systems may apply to the State Board to monitor at a reduced frequency in accordance with table 64534.2-D, any time the LRAA is ≤ 0.040 mg/L for TTHM and ≤ 0.030 mg/L for HAA5 at all monitoring locations. In addition, the source water annual average TOC level, before any treatment shall be ≤ 4.0 mg/L at each treatment plant treating approved surface water, based on source water TOC monitoring conducted pursuant to section 64534.6. The application shall include the results of all TOC, TTHM, and HAA5 monitoring conducted in the previous 12 months and the proposed revised monitoring plan as required by section 64534.8. The State Board will evaluate data submitted with the application to determine whether or not the system is eligible for the reduced monitoring specified in table 64534.2-D;

Table 64534.2-D
Reduced Monitoring Frequency for TTHM and HAA5

| <i>Source water type</i> | <i>Persons served</i> | <i>Number of distribution system monitoring locations</i> | <i>Monitoring period¹</i> |
|--------------------------------------|-----------------------|---|--------------------------------------|
| Systems using approved surface water | $\geq 5,000,000$ | 10 dual sample sets: at the locations with the five highest TTHM and five highest HAA5 LRAAs | per quarter |
| | 1,000,000 – 4,999,999 | 8 dual sample sets: at the locations with the four highest TTHM and four highest HAA5 LRAAs | per quarter |
| | 250,000 – 999,999 | 6 dual sample sets: at the locations with the three highest TTHM and three highest HAA5 LRAAs | per quarter |
| | 50,000 – 249,999 | 4 dual sample sets: at the locations with the two highest TTHM and two highest | per quarter |

| <i>Source water type</i> | <i>Persons served</i> | <i>Number of distribution system monitoring locations</i> | <i>Monitoring period¹</i> |
|---|-----------------------|--|--------------------------------------|
| | | HAA5 LRAAs | |
| | 10,000 – 49,999 | 2 dual sample sets: at the locations with the highest TTHM and highest HAA5 LRAAs | per quarter |
| | 3,301 – 9,999 | 2 dual sample sets: one at the location and during the quarter with the highest TTHM single measurement, one at the location and during the quarter with the highest HAA5 single measurement | per year |
| | 500 – 3,300 | 1 TTHM and 1 HAA5 sample: one at the location and during the quarter with the highest TTHM single measurement, one at the location and during the quarter with the highest HAA5 single measurement; 1 dual sample set per year if the highest TTHM and HAA5 measurements occurred at the same location and quarter | per year |
| Systems using only ground water not under direct influence of surface water | ≥500,000 | 4 dual sample sets: at the locations with the two highest TTHM and two highest HAA5 LRAAs | per quarter |
| | 100,000 – 499,999 | 2 dual sample sets: at the locations with the highest TTHM and highest HAA5 LRAAs | per quarter |
| | 10,000 – 99,999 | 2 dual sample sets: one at the location and during the quarter with the highest TTHM single measurement, one at the location and during the quarter with the highest HAA5 single measurement | per year |
| | 500 – 9,999 | 1 TTHM and 1 HAA5 sample: one at the location and during the quarter with the highest TTHM single measurement, one at the location and during the quarter with the highest HAA5 single measurement; 1 dual sample set per year if the | per year |

| <i>Source water type</i> | <i>Persons served</i> | <i>Number of distribution system monitoring locations</i> | <i>Monitoring period¹</i> |
|--------------------------|-----------------------|--|--------------------------------------|
| | | highest TTHM and HAA5 measurements occurred at the same location and quarter | |
| | <500 | 1 TTHM and 1 HAA5 sample: one at the location and during the quarter with the highest TTHM single measurement, one at the location and during the quarter with the highest HAA5 single measurement; 1 dual sample set every third year if the highest TTHM and HAA5 measurements occurred at the same location and quarter | every third year |

¹ Systems on quarterly monitoring shall take dual sample sets every 90 days.

(4) Systems on reduced monitoring shall resume routine monitoring pursuant to table 64534.2-C or conduct increased monitoring pursuant to paragraph (5) (if applicable), if the TTHM LRAA is >0.040 mg/L or the HAA5 LRAA is >0.030 mg/L at any monitoring location (for systems with quarterly reduced monitoring); a TTHM sample is >0.060 mg/L or a HAA5 sample is >0.045 mg/L (for systems with annual or less frequent monitoring); or the source water annual average TOC level, before any treatment, is >4.0 mg/L at any treatment plant treating an approved surface water;

(5) Systems that are required to monitor at a particular location annually or less frequently than annually pursuant to table 64534.2-C or 64534.2-D shall increase monitoring to dual sample sets once per quarter (taken every 90 days) at all locations if a TTHM sample is >0.080 mg/L or a HAA5 sample is >0.060 mg/L at any location. Systems on increased monitoring may return to routine monitoring specified in table 64534.2-C if, after at least four consecutive quarters of monitoring, the LRAA for every monitoring location is ≤0.060 mg/L for TTHM and ≤0.045 mg/L for HAA5;

(6) If the operational evaluation level (OEL) exceeds 0.080 mg/L for TTHM or 0.060 mg/L for HAA5 at any monitoring location, systems shall conduct an operational evaluation. The operational evaluation shall include the examination of system treatment and distribution operational practices, including storage tank operations, excess storage capacity, distribution system flushing, changes in sources or source water quality, and treatment changes or problems that may contribute to TTHM and HAA5 formation and what steps could be considered to minimize future exceedances. Systems that are able to identify the cause of the OEL exceedance may submit a written request to the State Board to limit the scope of the evaluation. The request to limit the scope of the evaluation shall not extend the schedule in section 64537(d) for submitting the written report to the State Board;

(7) Systems on reduced monitoring pursuant to table 64534.2-B may remain on reduced monitoring after the applicable date in table 64530-A for compliance with this subsection provided the system meets IDSE requirements under section 64530(c) by qualifying for a 40/30 certification (40 CFR part 141.603) or receiving a very small system waiver (40 CFR part 141.604), meets the reduced monitoring criteria in paragraphs (3) and (4), and

does not change or add monitoring locations from those used for compliance monitoring under subsection (a); and

(8) Systems on increased monitoring pursuant to table 64534.2-A shall remain on increased monitoring and conduct increased monitoring pursuant to paragraph (5) at the locations in the monitoring plan developed under section 64534.8 beginning at the applicable date in table 64530-A for compliance with this subsection. Systems on increased monitoring may return to routine monitoring specified in table 64534.2-C pursuant to paragraph (5).

Article 4. Compliance requirements

§64535. General Requirements for Determining Compliance.

(a) All samples taken and analyzed in accordance with section 64534.8 shall be included in determining compliance, pursuant to sections 64535.2, 64535.4, and 64536.4.

(b) For violations of the MCLs in section 64533 or MRDLs in section 64533.5 that may pose an acute risk to human health, notification shall be pursuant to sections 64463, 64463.1, and 64465.

§64535.2. Determining Disinfection Byproducts Compliance.

(a) During the first year of monitoring for disinfection byproducts under sections 64534.2(a), (b), and (c), the system shall comply with paragraphs (1) through (3). During the first year of monitoring for TTHM and HAA5 under section 64534.2(d), the system shall comply with paragraphs (1) through (3) at each monitoring location:

(1) The sum of the first quarter's results, divided by four, shall not exceed the MCLs specified in section 64533.

(2) The sum of the first and second quarter's results, divided by four, shall not exceed the MCLs specified in section 64533.

(3) The sum of the first, second, and third quarter's results, divided by four, shall not exceed the MCLs specified in section 64533.

(b) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(a), shall be determined as follows:

(1) For systems monitoring quarterly, the running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected pursuant to section 64534.2(a) shall not exceed the MCLs specified in section 64533;

(2) For systems monitoring less frequently than quarterly, the average of samples collected that calendar year pursuant to section 64534.2(a) shall not exceed the MCLs specified in section 64533. If the average of the samples collected under section 64534.2(a) exceeds the MCL, the system shall increase monitoring to once per quarter per treatment plant. Compliance with the MCL shall then be determined by the average of the sample that triggered the quarterly monitoring and the following three quarters of monitoring, unless the result of fewer than four quarters of monitoring will cause the running annual average to exceed the MCL, in which case the system is in violation immediately. After monitoring quarterly for four consecutive quarters (including the quarter that triggered the quarterly monitoring), and until such time as monitoring returns to routine monitoring pursuant to section 64534.2(a)(3), compliance shall be determined pursuant to paragraph (1);

(3) If the running annual arithmetic average of quarterly averages covering any consecutive four-quarter period exceeds the MCL, the system is in violation of the MCL

and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including language in appendix 64465-G, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6; and

(4) If a public water system fails to complete four consecutive quarters of monitoring, compliance with the MCL for the last four-quarter compliance period shall be based on an average of the available data.

(c) Compliance for bromate shall be based on a running annual arithmetic average, computed quarterly, of monthly samples (or, for months in which the system takes more than one sample, the average of all samples taken during the month) collected by the system as prescribed by section 64534.2(c). If the average of samples covering any consecutive four-quarter period exceeds the MCL, the system is in violation of the MCL and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including language in appendix 64465-G, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6. If a public water system fails to complete 12 consecutive months of monitoring, compliance with the MCL for the last four-quarter compliance period shall be based on an average of the available data.

(d) Compliance for chlorite shall be based on the results of samples collected by the system pursuant to section 64534.2(b).

(1) If any daily sample taken at the entrance to the distribution system exceeds the chlorite MCL and one (or more) of the three samples taken in the distribution system pursuant to section 64534.2(b)(1) exceeds the chlorite MCL, the system is in violation of the MCL and shall take immediate corrective action to reduce the concentration of chlorite to a level below the MCL. The system shall notify the State Board within 48 hours of the determination and notify the public pursuant to the procedures for acute health risks in sections 64463, 64463.1, and 64465, including language in appendix 64465-G, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6. Failure to take samples in the distribution system the day following an exceedance of the chlorite MCL at the entrance to the distribution system is also an MCL violation and the system shall notify and report as described in this paragraph;

(2) If the average of an individual sample from the three-sample set taken pursuant to section 64534.2(b)(2) and its confirmation sample taken pursuant to section 64634.2(b)(4) exceeds the chlorite MCL, the system is in violation of the MCL and shall take the corrective action and notify and report as described in paragraph (1). If the average of the individual sample and its confirmation does not exceed the MCL, the system shall inform the State Board of the results within seven days from receipt of the original analysis. Failure to take a confirmation sample pursuant to section 64534.2(b)(4) is also an MCL violation and the system shall notify and report as described in paragraph (1); and

(3) If any two consecutive daily samples taken at the entrance to the distribution system exceed the chlorite MCL and all distribution system samples taken pursuant to section 64534.2(b)(1) are less than or equal to the chlorite MCL, the system is in violation of the MCL and shall take corrective action to reduce the concentration of chlorite to a level below the MCL at the point of sampling. The system shall notify the public pursuant to the procedures for nonacute health risks in sections 64463, 64463.4, and 64465, including the language in appendix 64465-G, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6. Failure to monitor at the entrance to the distribution

system the day following an exceedance of the chlorite MCL at the entrance to the distribution system is also an MCL violation and the system shall notify and report as described in this paragraph.

(e) TTHM and HAA5 MCL compliance, as monitored pursuant to section 64534.2(d), shall be determined as follows:

- (1) For systems monitoring quarterly, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCLs specified in section 64533;
- (2) For systems monitoring annually or less frequently, each sample collected shall not exceed the MCLs specified in section 64533. If no sample exceeds the MCL, the sample result for each monitoring location shall be considered the LRAA for the monitoring location. If any sample exceeds the MCL, systems shall increase monitoring pursuant to section 64534.2(d)(5). Compliance with the MCL shall then be determined by the average of the sample that triggered the quarterly monitoring and the following three quarters of monitoring, unless the result of fewer than four quarters of monitoring will cause the LRAA to exceed the MCL, in which case the system is in violation immediately. After monitoring quarterly for four consecutive quarters (including the quarter that triggered the quarterly monitoring), and until such time as monitoring returns to routine monitoring pursuant to section 64534.2(d)(5), compliance shall be determined pursuant to paragraph (1);
- (3) If a system fails to complete four consecutive quarters of monitoring, compliance with the MCL for the last four-quarter compliance period shall be based on an average of the available data. If more than one sample per quarter is taken at a monitoring location, all the samples taken in the quarter at that monitoring location shall be averaged to determine a quarterly average to be used in the LRAA calculation; and
- (4) If the LRAA exceeds the MCL, calculated based on four consecutive quarters of monitoring (or the LRAA calculated based on fewer than four quarters of data if the MCL would be exceeded regardless of the monitoring results of subsequent quarters), the system is in violation of the MCL and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including the language in appendix 64465-G, in addition to reporting to the State Board pursuant to sections 64537 through 64537.6.

§64463.4. Tier 2 Public Notice

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

- (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
- (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
- (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

(4) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;

(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and

(3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by;

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;

2. Posting in conspicuous public places served by the water system, or on the Internet; or

3. Delivery to community organizations.

(2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;

2. E-mail message to employees or students;

3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

§64469 Reporting Requirements

(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Kernville Water System Has Levels of Haloacetic Acids (HAA5) Above the Drinking Water Standard

Dear California Water Service customer:

Test results from the [insert quarter] quarter of [insert year] show that our system exceeded the standard for maximum contaminant level (MCL) for Haloacetic Acids (HAA5). The MCL for HAA5 is 60 parts per billion, and compliance with the MCL is determined by the locational running annual average [LRAA] of samples collected at each sampling location, each quarter, over the past 12 months. The Kernville water system is required to take quarterly samples from two sites [60 Oak Place and 1235 Sycamore] in the water distribution system that were previously approved by the State Water Resources Control Board, Division of Drinking Water. Starting third quarter of 2016, the 60 Oak Place sampling site was replaced by 107 Juniper, which is more representative of the distribution system. The samples collected at 60 Oak Place and 107 Juniper ranged in value from [insert value] parts per billion to [insert value] parts per billion, resulting in a [insert quarter and year] LRAA value of [insert value] ppb for HAA5.

What Should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- This is not an immediate risk. If it had been, you would have been notified immediately. However, some people who drink water containing HAA5 in excess of the MCL over many years may have an increased risk of getting cancer.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

We closely monitor our water system for the presence of drinking water contaminants. The Kernville water system uses the Kern River as its water source. This year, run-off from winter storms has contributed to higher levels of total organic carbon (TOC) material in the Kern River supply. The presence of higher levels of TOC creates a treatment challenge in our state-of-the-art surface water treatment plant. Higher than normal TOC levels contribute to the formation of disinfection byproducts, which are measured as haloacetic acids (HAA5) and total trihalomethanes (TTHM).

Residents living on Oak Court, Oak Place, Juniper Drive, Alder Court, and Grandview in Kernville, are in the same zone as 60 Oak Place and, therefore, has similar water quality. Please see the attached map for more precise details about the affected area within our Kernville system. Routine samples taken from the second site, located at 1235 Sycamore, did not exceed the LRAA for HAA5.

Protecting your health and safety is our highest priority. Upon discovering the first high result on February 23, 2016, California Water Service Company (Cal Water) immediately began making operational changes in the

Attachment B

water treatment plant and water distribution system to reduce HAA5. These changes include adjusting the amount of disinfectant used to effectively treat the water and modifying storage tank levels to encourage turnover and decrease water aging in the system. We are also working on installing treatment to reduce disinfection byproducts. The State-mandated reductions in water use, during this historic drought have increased the aging of water in the distribution system. Additional sampling was also completed during the first quarter of 2016 to monitor water quality changes.

Subsequent samples throughout the first quarter of 2016 showed a steady improvement in HAA5 levels at 60 Oak Place and 107 Juniper. We will continue to work diligently to improve water quality, as well as increase sampling of the affected area to track progress.

Please be assured that this public notification shall remain in effect until the LRAA for haloacetic acids decrease to below the MCL of 60 ppb. Should we continue to exceed the LRAA in any part of the Kernville water system quarterly, we will notify you in accordance with Title 22 of the California Code of Regulations. For more information, please contact the local Cal Water Customer Service Center at (760) 379-5336.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by California Water Service Company – Kernville system.

State Water System ID#: 1510033 Date distributed: [insert date]

Certification of Completion of Public Notification
(Include a Copy of the Public Notice When Submitting this Form)

This form, when completed and returned to the Division of Drinking Water – Tehachapi District (4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 or fax to 661-335-7316), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: California Water Service Company - Kernville Water System

Public Water System No.: 1510033

Public notification for failure to comply with the maximum contaminant level (MCL) for HAA5 for
the QUARTER OF was performed by the

following method(s) (check and complete those that apply):

- ☐ The notice was mailed to users on: _____
 A copy of the notice is attached.
- ☐ The notice was hand delivered to water customers on: _____
 A copy of the notice is attached.
- ☐ The notice was published in the local newspaper on: _____
 A copy of the newspaper notice is attached.
- ☐ The notice was posted at conspicuous places on: _____
 A copy of the notice is attached.
 A list of locations the notice was posted is attached.
- ☐ The notice was delivered to community organizations on: _____
 A copy of the notice is attached.
 A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

 Printed Name

 Title

 Signature

 Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the State Water Resources Control Board, Division of Drinking Water within 10 days of issuance of notice to customers

Enforcement Action No. 03-19-16R-005

Quarterly Progress Report

| | |
|--|----------------------------------|
| Water System: CWS-Kernville | Water System No.: 1510033 |
| Compliance Order No.: 03-19-16R-005 | Violation: HAA5 MCL |
| Calendar Quarter: | Date Prepared: |

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the State Water Resources Control Board, Division of Drinking Water, Tehachapi District Office.

Summary of Compliance Plan:

| |
|--|
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Tasks completed in the reporting quarter:

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Tasks remaining to complete:

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Anticipate compliance date:

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Name

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Signature

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